

REMARKS

Reconsideration and allowance are respectfully requested. Claims 1-40 are unchanged and remain pending in the application.

The Examiner objected to the drawings as being inconsistent with the specification. Instead of changing the drawings, the specification has been amended above to correlate with FIG. 3A.

Claims 1-5, 13-15, 21-25 and 33-35 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Cave et al. (US 6,404,746) in view of Korpi et al. (US 6,636,528). This rejection is respectfully traversed.

As discussed in the specification, one problem with the H.323 standard is that the H.323 standard does not specify how a subscriber can return back to his or her user interface session upon completion of the outbound call to subscriber. In addition, the H.323 standard does not specify how RTP media streams may be redirected through the IP telephony gateway for voice quality and performance reasons. According to an embodiment disclosed in the specification, the user interface resource initiates bridging of the RTP audio streams of the two call legs while maintaining control of both legs. Hence, a subscriber may suspend his or her session with the user interface resource and call the destination party and then return to the user interface resource upon completion of the call with the destination party.

Cave teaches an originating gateway 810 that establishes H.323 call 820 to CCS 802 in VRU 800. A second H.323 call 828 is placed to gateway 812. Cave further teaches that call 820 and call 828 remain connected when the VRU 800 is to be bypassed. Once a call between a calling party and called party is terminated, the call 820 is torn down (see Cave at col. 15, lines 56-61). Thus, Cave does not teach or suggest resuming a user interface session (e.g. call 820) with the user interface resource in response to detecting a second prescribed condition between the subscriber and the destination party.

The Examiner notes that Cave does not teach or suggest "connecting the first and second RTP data streams in response to a call command from the subscriber and resuming the interface session with the subscriber in response to a detected condition between the subscriber and the

destination party." The Examiner cites Korpi et al. as teaching a method of switching data in a telecommunications network with a switching device and contends that it would have been obvious "to implement a computer program product in Cave in view of Korpi for performing the steps and apparatus as recited in the claims..."

Applicants submit that even if the teachings of Korpi and Cave were combined, the hypothetical combination would not disclose or suggest resuming a user interface session with the user interface resource in response to detecting a second prescribed condition between the subscriber and the destination party. As noted above, Cave does not teach or suggest resuming a user interface session. Korpi discloses a telecommunications system having an interface unit to accommodate different signaling protocols. Korpi teaches away from resuming a user interface session, since Korpi teaches a line switching center telecommunications system in which voice channels are connected for the duration of a call (see column 5, lines 42-46 of Korpi). Thus, there is no teaching or suggestion in Korpi (or the hypothetical combination) of resuming a user interface session, established by a RTP data stream according to H.323 protocol, once a prescribed condition between a subscriber and destination party is detected.

Furthermore, an evaluation of obviousness must be undertaken from the perspective of one of ordinary skill in the art addressing the same problems addressed by the applicant in arriving at the claimed invention. Bausch & Lomb, Inc. v. Barnes-Hind/Hydrocurve, 23 USPQ 416, 420 (Fed. Cir. 1986), cert. denied, 484 US 823 (1987). Thus, the claimed structures and methods cannot be divorced from the problems addressed by the inventor and the benefits resulting from the claimed invention. In re Newell, 13 USPQ2d 1248, 1250 (Fed. Cir. 1989).

As noted above, Korpi teaches a line switching center telecommunications system in which voice channels are connected for the duration of a call and is not reasonably pertinent to the particular problem with which the inventors were involved, namely enabling a subscriber to suspend his or her session with the user interface resource and call the destination party and then return to the user interface resource upon completion of the call with the destination party when using RTP data streams.

For these reasons, the rejection is improper and should be withdrawn.

09/606,692 -- CRAIG et al.

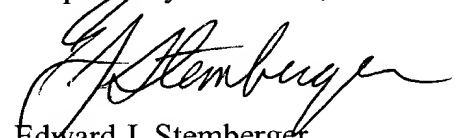
Claims 11-12, 18-20, 31-32 and 38-40 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Cave in view of Korpi and further in view of Gallant et al. (U.S. 6,636,596). This rejection is respectfully traversed. These claims depend from independent claims 1, 9, 13, 21, and 33 and are considered to be allowable for the reasons advanced above, and for the additional reason that the added subject matter thereof is neither taught nor suggested by the prior art of record.

The Examiner indicated that claims 6-10, 16-17, 26-30 and 36-37 contain allowable subject matter. These claims have not been rewritten in independent format since the base claims are considered to be allowable over the prior art of record for the reasons advanced above.

In view of the foregoing, it is believed this application is in condition for allowance, and such as Notice is respectfully solicited.

To the extent necessary, Applicant petitions for an extension of time under 37 C.F.R. 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including any missing or insufficient fees under 37 C.F.R. 1.17(a), to Deposit Account No. 50-1130, under Order No. 95-430, and please credit any excess fees to such deposit account.

Respectfully submitted,



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